

TENNESSEE GENERAL ASSEMBLY
FISCAL REVIEW COMMITTEE



FISCAL NOTE

HB 455 - SB 625

February 19, 2013

SUMMARY OF BILL: Requires the court clerk to notify any person who has a legal claim to the proceeds of a pending property sale, provided the person notifies the clerk of such legal claim prior to the sale. Notice to parties or others in delinquent tax suits and sales are to be governed by the Tennessee Rules of Civil Procedure.

ESTIMATED FISCAL IMPACT:

Other Fiscal Impact – There will be a shift in local government expenditures and responsibilities from the delinquent tax attorney to the clerk of the court resulting in a not significant net impact to local governments.

Assumptions:

- Pursuant to Tenn. Code Ann. § 67-5-2505(a)-(c), notice to parties or others in delinquent tax suits and sales are governed by the Tennessee Rules of Civil Procedure; and the delinquent tax attorney shall give notice to persons identified as having an interest in the property to be sold.
- Based on previous information provided by the Tennessee Association of Property Tax Professionals (TAPTP), currently costs associated with the notification process are paid by the county delinquent tax attorney.
- It is assumed the provisions of this legislation will shift the notification responsibilities currently being executed by the delinquent tax attorney to the clerk of court; thus shifting all costs associated with the notification to the clerk of court.
- This shift in cost will occur within local government. The net impact to local government is estimated to be not significant.

CERTIFICATION:

The information contained herein is true and correct to the best of my knowledge.

A handwritten signature in black ink, appearing to read "Lucian D. Geise".

Lucian D. Geise, Executive Director

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